IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 21718 OF 2005

Date: 05.10.2005

BETWEEN:

1. Godi Vijayalakshmi and another

…. PETITIONERS

And

1. The Mandal Revenue Officer, Gajuwaka, Visakhapatnam District, and others.

…. RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 21718 OF 2005

ORDER:

The petitioners occupied Government land and raised thatched huts in the year 1987. They made representations to the District collector for regularization of occupation. They allege that the District Collector directed the Mandal Revenue Officer (MRO), Gajuwaka on 6.10.1987 to submit proposals for regularization. After conducting due enquiry, the MRO issued pattas in respect of Plot Nos.87/A and 87/B respectively. The petitioners allege that on 11.12.2004 the MRO demolished the thatched houses of Sri K. Ramakrishna and Sri P. Suryarao whereupon they filed a writ petition being W.P.No.23243 of 2004. They further allege that on 2.10.2005, the respondents along with the staff came and made attempts to demolish their thatched houses. Therefore, they filed the instant writ petition seeking a declaration that the action of the respondents in trying to demolish their houses, as illegal.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue (Assignments). The petitioners have annexed the house site pattas

issued to them. There is no other material before this Court to come to a conclusion that before these pattas are cancelled, and before the respondents made any attempt to demolish the petitioners' houses, as alleged, any notice was issued to the petitioners. Therefore, instead of keeping the writ petition pending, in the interest of justice, the same is disposed of at the admission stage, directing the respondents not to interfere with the petitioners' possession if they are still in possession of their houses as on today, without due process of law and without issuing any notice to them.

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(**V.V.S. RAO, J.)**

5th October, 2005

Note: Issue C.C. by

Day after tomorrow.

B/o

Js.